



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, DC 20230
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09 800,413	03.06/2001	John R. Hacker	758.924US01	2695

23552 7590 09/24/2002

MERCHANT & GOULD PC
P.O. BOX 2903
MINNEAPOLIS, MN 55402-0903

EXAMINER

SAVAGE, MATTHEW O

ART UNIT	PAPER NUMBER
----------	--------------

1723

DATE MAILED: 09/24/2002

10

Please find below and/or attached an Office communication concerning this application or proceeding.

AS-10

Office Action Summary	Application No. 09/800,413	Applicant(s) HACKER ET AL.	
	Examiner Matthew O Savage	Art Unit 1723	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 June 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19-25 is/are pending in the application.
- 4a) Of the above claim(s) 22 and 23 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 19-21, 24 and 25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>9</u> . | 6) <input type="checkbox"/> Other: _____ |

Applicant's election with traverse of species 1 in Paper No. 8 is acknowledged. The traversal is on the ground(s) that it would not impose a burden upon the examiner to examine all the disclosed species in a single application. This is not found persuasive because examination of ten patently distinct apparatus species would impose an undue burden upon the examiner.

The requirement is still deemed proper and is therefore made FINAL.

New claims 22 and 23 have been withdrawn as being directed to a non-elected invention.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 19-21, 24, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kanwar in view of Gullett '636.

With respect to claim 19, Kanwar discloses a filter head 12 having a center tube 19, 22 defining an end, an outer tube 17, a first liquid flow port 70, a second liquid flow port 78, the outer tube circumscribing the center tube, the outer tube defining an end, an outer tube end port at the end (e.g., defined by part 22) at the end, an outer tube flow passageway 72 extending between and in fluid communication with the first liquid flow port 70 and the tube outer end, the outer tube defining an end, and outer tube

end port, the outer tube further including an outer tube threaded region, the center tube defining a center tube flow passageway and a center tube end port, the center tube flow passageway extending between and in fluid communication with the second liquid flow port 78, the center tube 19, 22 projecting outwardly from the end of said outer tube, a filter operatively connected to the filter head, the filter having a housing 14 defining an interior and a cartridge filter 40 operatively oriented within the housing interior, the tube the filter having a threaded region 16 threadably engaged to the outer tube threaded region to define a threaded connection, the filter being in liquid flow communication with the outer tube end port and the center tube end port, a first seal arrangement 15 oriented to form a first seal to inhibit leakage between the outer tube flow passageway and the filter, and a second seal arrangement 34 oriented to form a second seal to inhibit leakage between the center tube flow passageway and the filter. Kanwar fails to specify the limitation of the threaded connection having a cross sectional thickness no greater than 10 mm. Gullett discloses an analogous filter housing having a threaded region 22 having a cross sectional thickness no greater than 10 mm (see lines 12-17 of col. 4) and suggests that such a dimension provides the required strength for the threaded connection of an oil filter housing. It would have been obvious to have modified the apparatus of Kanwar so as to have included a threaded region having a cross sectional thickness as suggested by Gullett in order to provide the required strength for the threaded connection of an oil filter housing.

Concerning claim 20, Kanwar and Gullett disclose bowl-cartridge filters with reusable housings and replaceable cartridges.

As to claim 21, Kanwar discloses the filter threaded region as being on an interior portion of the housing and the outer tube threaded region as being on an exterior portion of the outer tube.

Regarding claim 24, Kanwar discloses a cartridge filter including a cylinder of plated filter media (see lines 41-44 of col. 3) defining an open filter interior and the center tube 22 extending into the open interior.

Concerning claim 25, Kanwar discloses the filter cartridge as including an inner liner 24.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew O Savage whose telephone number is 703-308-3854. The examiner can normally be reached on Monday-Friday, 7:00am-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wanda W. Walker can be reached on 703-308-0457. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9310 for regular communications and 703-872-9311 for After Final communications.

Art Unit: 1723

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.

M. Savage
Matthew O Savage
Primary Examiner
Art Unit 1723

mos
September 20, 2002